

IC 14-8-2

Chapter 2. Definitions

IC 14-8-2-1

"Abandon"

Sec. 1. "Abandon", for purposes of IC 14-37, means to:

- (1) terminate operations of a well for oil and gas purposes; and
- (2) reclaim and restore the site of the well in a manner that will protect the waters and lands of Indiana against pollution.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-2

"Adjacent land"

Sec. 2. "Adjacent land", for purposes of IC 14-29-6, has the meaning set forth in IC 14-29-6-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-3

"Affected area"

Sec. 3. "Affected area", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-4

"Agency"

Sec. 4. "Agency" has the following meaning:

- (1) For purposes of IC 14-23-8, the meaning set forth in IC 14-23-8-2.
- (2) For purposes of IC 14-24-12, the meaning set forth in IC 14-24-12-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.132-1996, SEC.1.

IC 14-8-2-5

"Agricultural purpose"

Sec. 5. "Agricultural purpose", for purposes of IC 14-21-1-24, has the meaning set forth in IC 14-21-1-24.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-6

"Alteration to the shoreline"

Sec. 6. "Alterations to the shoreline", for purposes of IC 14-26-2-15, has the meaning set forth in IC 14-26-2-15.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-7

"Animal"

Sec. 7. "Animal", for purposes of IC 14-22, includes all mammals, birds, reptiles, amphibians, fish, crustaceans, and mollusks.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-7.5**"Annual pass"**

Sec. 7.5. "Annual pass", for the purposes of IC 14-19-3-5, has the meaning set forth in IC 14-19-3-5(a).

As added by P.L.134-1997, SEC.1.

IC 14-8-2-8**"Apiary"**

Sec. 8. "Apiary", for purposes of IC 14-24, means a place where at least one (1) hive or colony of bees is kept.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-9**"Applicant"**

Sec. 9. "Applicant", for purposes of IC 14-34-4-8, has the meaning set forth in IC 14-34-4-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-10**"Appraised value"**

Sec. 10. "Appraised value", for purposes of IC 14-31-2, has the meaning set forth in IC 14-31-2-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-11**"Approximate original contour"**

Sec. 11. "Approximate original contour", for purposes of IC 14-34-10, has the meaning set forth in IC 14-34-10-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-12**"Aquatic vegetation"**

Sec. 12. "Aquatic vegetation", for purposes of IC 14-22, means completely submerged or partially emerged:

- (1) moss;
- (2) algae; or
- (3) rooted aquatic vegetation.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-13**"Aquifer"**

Sec. 13. "Aquifer", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-13.5**"Archeological plan"**

Sec. 13.5. "Archeological plan", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-8(b).

As added by P.L.46-2000, SEC.1.

IC 14-8-2-14**"Area"**

Sec. 14. "Area" has the following meaning:

- (1) For purposes of IC 14-23-7, the meaning set forth in IC 14-23-7-1.
- (2) For purposes of IC 14-31-1, the meaning set forth in IC 14-31-1-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-15**"Articles of dedication"**

Sec. 15. "Articles of dedication", for purposes of IC 14-31-1, has the meaning set forth in IC 14-31-1-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-16**"Artifact"**

Sec. 16. "Artifact", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-16.5**"Automated point of sale licensing system"**

Sec. 16.5. "Automated point of sale licensing system", for purposes of IC 14-22, has the meaning set forth in IC 14-22-12-7.5(a).

As added by P.L.186-2003, SEC.27.

IC 14-8-2-17**"Average normal water level"**

Sec. 17. "Average normal water level", for purposes of IC 14-26-4, has the meaning set forth in IC 14-26-4-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-18**"Bag limit"**

Sec. 18. "Bag limit", for purposes of IC 14-22, means the quantity of individual wild animals that may be taken:

- (1) in one (1) day of the specified season for a specified wild animal; or
- (2) during the entire season;

as stated in IC 14-22.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-19 Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-20**"Basin"**

Sec. 20. "Basin" has the following meaning:

(1) For purposes of IC 14-30-1, the meaning set forth in IC 14-30-1-1.

(2) For purposes of IC 14-30-2, the meaning set forth in IC 14-30-2-1.

(3) For purposes of IC 14-30-3, the meaning set forth in IC 14-30-3-1.

(4) For purposes of IC 14-30-4, the meaning set forth in IC 14-30-4-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.35-2001, SEC.1.

IC 14-8-2-21

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-22

"Beneficial use"

Sec. 22. "Beneficial use", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-23

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-24

"Board"

Sec. 24. "Board" has the following meaning:

(1) For purposes of IC 14-27-6, the meaning set forth in IC 14-27-6-2.

(2) For purposes of IC 14-32, the soil conservation board established by IC 14-32-2-1.

(3) For purposes of IC 14-33, the board of directors of a conservancy district.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-25

"Boat"

Sec. 25. "Boat", for purposes of IC 14-15, means watercraft.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-26

"Bond pool"

Sec. 26. "Bond pool", for purposes of IC 14-34-8, has the meaning set forth in IC 14-34-8-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-26.2

"Boundary river"

Sec. 26.2. "Boundary river", for purposes of IC 14-28-1, has the meaning set forth in IC 14-28-1-1.2.

As added by P.L.135-1997, SEC.1.

IC 14-8-2-26.3

"Boundary river floodway"

Sec. 26.3. "Boundary river floodway", for purposes of IC 14-28-1, has the meaning set forth in IC 14-28-1-1.3.

As added by P.L.135-1997, SEC.2.

IC 14-8-2-27

"Boundary waters"

Sec. 27. "Boundary waters", for purposes of IC 14-22, means the following:

- (1) The part of the Wabash River that forms the boundary between Illinois and Indiana.
- (2) The part of the Ohio River that forms the boundary between Kentucky and Indiana.
- (3) The part of the Great Miami River that forms the boundary between Ohio and Indiana.
- (4) The part of Lake Michigan that is under the jurisdiction of Indiana.
- (5) The lakes other than Lake Michigan that are on the boundary between Indiana and bordering states.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-27.5

"Bow"

Sec. 27.5. "Bow", for purposes of IC 14-22-40, has the meaning set forth in IC 14-22-40-1.

As added by P.L.133-1996, SEC.1.

IC 14-8-2-28

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-29

"Buildings and grounds"

Sec. 29. "Buildings and grounds", for purposes of IC 14-20-7, has the meaning set forth in IC 14-20-7-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-29.7

"Bureau"

Sec. 29.7. "Bureau", for purposes of IC 14-11-3, has the meaning set forth in IC 14-11-3-0.3.

As added by P.L.257-1997(ss), SEC.24.

IC 14-8-2-30

"Burial ground"

Sec. 30. "Burial ground", for purposes of IC 14-21, has the meaning set forth in IC 14-21-1-3.

As added by P.L.1-1995, SEC.1. Amended by P.L.46-2000, SEC.2.

IC 14-8-2-31

"Burial object"

Sec. 31. "Burial object", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-32

"Burns Waterway"

Sec. 32. "Burns Waterway", for purposes of IC 14-13-2, has the meaning set forth in IC 14-13-2-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-33

"Buy"

Sec. 33. "Buy", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-34

"Campaign"

Sec. 34. "Campaign", for purposes of IC 14-31-2, has the meaning set forth in IC 14-31-2-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-35

"Carnivore"

Sec. 35. (a) "Carnivore", for purposes of IC 14-22, means a flesh-eating mammal. The term includes the following:

(1) A wild animal of the following families:

(A) Canine.

(B) Feline.

(C) Ursine.

(2) A wild animal that is a result of crossbreeding between the following:

(A) An animal listed in subdivision (1).

(B) Another animal listed in subdivision (1) or a domestic animal.

(b) The term does not include a domestic animal.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-36

"Carry passengers for hire"

Sec. 36. (a) "Carry passengers for hire", for purposes of IC 14-15, means the carrying or transportation of passengers for a passage or trip in consideration of a fare or charge.

(b) The term does not include the following:

(1) The carrying or transportation of passengers or guests without charge.

(2) The leasing or rental of a watercraft to a lessee to be operated by the lessee as the lessee's own for an hour, a day, a week, or other fixed period.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-37

"Cast overburden"

Sec. 37. "Cast overburden", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-37.5

"Cemetery"

Sec. 37.5. "Cemetery", for purposes of IC 14-21, has the meaning set forth in IC 23-14-33-7.

As added by P.L.46-2000, SEC.3.

IC 14-8-2-38

"Channel"

Sec. 38. "Channel" has the following meaning:

(1) For purposes of IC 14-28-1 and IC 14-28-3, the natural or artificial channel of a river or stream.

(2) For purposes of IC 14-29-4, the meaning set forth in IC 14-29-4-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-39

"Chase"

Sec. 39. "Chase", for purposes of IC 14-22, means following wildlife without the intent to take.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-40

"Chemical test"

Sec. 40. "Chemical test", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-41

"Class II well"

Sec. 41. "Class II well", for purposes of IC 14-37, means a well that injects fluids:

(1) that are brought to the surface in connection with conventional oil or gas production and can be commingled with wastewaters (other than wastewaters classified as hazardous waste at the time of injection) from gas plants that are an integral part of production operations;

(2) for the enhanced recovery of oil or gas; or

(3) for the storage of hydrocarbons that are liquid at standard temperature and pressure.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-42

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-42.5

"Collateral"

Sec. 42.5. "Collateral", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-0.5.

As added by P.L.176-1995, SEC.1.

IC 14-8-2-43

"Commence to drill a well"

Sec. 43. "Commence to drill a well", for purposes of IC 14-38-1, has the meaning set forth in IC 14-38-1-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-44

"Commercial fishing"

Sec. 44. "Commercial fishing", for purposes of IC 14-22-14, has the meaning set forth in IC 14-22-14-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-45

"Commercial fishing gear"

Sec. 45. "Commercial fishing gear", for purposes of IC 14-22-14, has the meaning set forth in IC 14-22-14-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-46

"Commercial fishing license"

Sec. 46. "Commercial fishing license", for purposes of IC 14-22-14, has the meaning set forth in IC 14-22-14-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-47

"Commercially minable coal resource"

Sec. 47. "Commercially minable coal resource", for purposes of IC 14-37, means a seam of coal that is:

- (1) at least thirty-six (36) inches thick; and
- (2) located not more than eight hundred (800) feet below the surface.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-48

"Commission"

Sec. 48. (a) "Commission", except as provided in subsections (b) through (p), refers to the natural resources commission.

(b) "Commission", for purposes of IC 14-13-1, has the meaning

set forth in IC 14-13-1-1.

(c) "Commission", for purposes of IC 14-13-2, has the meaning set forth in IC 14-13-2-2.

(d) "Commission", for purposes of IC 14-13-3, has the meaning set forth in IC 14-13-3-1.

(e) "Commission", for purposes of IC 14-13-4, has the meaning set forth in IC 14-13-4-1.

(f) "Commission", for purposes of IC 14-13-5, has the meaning set forth in IC 14-13-5-1.

(g) "Commission", for purposes of IC 14-13-6, has the meaning set forth in IC 14-13-6-2.

(h) "Commission", for purposes of IC 14-14-1, has the meaning set forth in IC 14-14-1-3.

(i) "Commission", for purposes of IC 14-20-4, has the meaning set forth in IC 14-20-4-1.

(j) "Commission", for purposes of IC 14-20-11, has the meaning set forth in IC 14-20-11-1.

(k) "Commission", for purposes of IC 14-25-11, has the meaning set forth in IC 14-25-11-1.

(l) "Commission", for purposes of IC 14-28-4, has the meaning set forth in IC 14-28-4-1.

(m) "Commission", for purposes of IC 14-30-1, has the meaning set forth in IC 14-30-1-2.

(n) "Commission", for purposes of IC 14-30-2, has the meaning set forth in IC 14-30-2-2.

(o) "Commission", for purposes of IC 14-30-3, has the meaning set forth in IC 14-30-3-2.

(p) "Commission", for purposes of IC 14-30-4, has the meaning set forth in IC 14-30-4-2.

(q) "Commission", for purposes of IC 14-33-20, has the meaning set forth in IC 14-33-20-2.

As added by P.L.1-1995, SEC.1. Amended by P.L.35-2001, SEC.2.

IC 14-8-2-49

"Committee"

Sec. 49. "Committee", for purposes of IC 14-34-8, has the meaning set forth in IC 14-34-8-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-49.5

"Comparative balance sheet"

Sec. 49.5. "Comparative balance sheet", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-0.6.

As added by P.L.176-1995, SEC.2.

IC 14-8-2-49.6

"Comparative income statement"

Sec. 49.6. "Comparative income statement", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-0.7.

As added by P.L.176-1995, SEC.3.

IC 14-8-2-50**"Compensate"**

Sec. 50. "Compensate", for purposes of IC 14-34-11-3, has the meaning set forth in IC 14-34-11-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-51**"Conservancy district"**

Sec. 51. "Conservancy district", for purposes of IC 14-25-2-11, has the meaning set forth in IC 14-25-2-11.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-52**"Conservation easement"**

Sec. 52. "Conservation easement", for purposes of IC 14-29-6-13, has the meaning set forth in IC 14-29-6-13.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-53**"Conservation officer"**

Sec. 53. "Conservation officer", for purposes of IC 14-9-8, has the meaning set forth in IC 14-9-8-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-54**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-55**"Construction"**

Sec. 55. "Construction" has the following meaning:

(1) For purposes of IC 14-25-4, the meaning set forth in IC 14-25-4-1.

(2) For purposes of IC 14-26-2-15, the meaning set forth in IC 14-26-2-15.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-56**"Controlled substance"**

Sec. 56. "Controlled substance", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-57**"Corporation"**

Sec. 57. "Corporation", for purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-58

"Corps"

Sec. 58. "Corps", for purposes of IC 14-23-8, has the meaning set forth in IC 14-23-8-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-59**"Corridor"**

Sec. 59. "Corridor" has the following meaning:

- (1) For purposes of IC 14-13-3, the meaning set forth in IC 14-13-3-2.
- (2) For purposes of IC 14-13-4, the meaning set forth in IC 14-13-4-2.
- (3) For purposes of IC 14-13-5, the meaning set forth in IC 14-13-5-2.
- (4) For purposes of IC 14-13-6, the meaning set forth in IC 14-13-6-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-60**"Cost"**

Sec. 60. "Cost", for purposes of IC 14-14-1, has the meaning set forth in IC 14-14-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-61**"Council"**

Sec. 61. "Council" has the following meaning:

- (1) For purposes of IC 14-13-1-22, the meaning set forth in IC 14-13-1-22.
- (2) For purposes of IC 14-13-1-23, the meaning set forth in IC 14-13-1-23.
- (3) For purposes of IC 14-13-1-24, the meaning set forth in IC 14-13-1-24.
- (4) For purposes of IC 14-13-1-25, the meaning set forth in IC 14-13-1-25.
- (5) For purposes of IC 14-21-1, the meaning set forth in IC 14-21-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-62**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-62.1**"Credit card"**

Sec. 62.1. "Credit card", for purposes of IC 14-11-1-7, has the meaning set forth in IC 14-11-1-7.

As added by P.L.95-1998, SEC.1.

IC 14-8-2-63

"Current assets"

Sec. 63. "Current assets", for purposes of IC 14-34-7-4, has the meaning set forth in IC 14-34-7-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-64**"Current liabilities"**

Sec. 64. "Current liabilities", for purposes of IC 14-34-7-4, has the meaning set forth in IC 14-34-7-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-65**"Dealer"**

Sec. 65. "Dealer" has the following meaning:

(1) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-2.

(2) For purposes of IC 14-24, the term means a person who grows or buys nursery stock for the purpose of reselling or reshipping the stock in Indiana.

As added by P.L.1-1995, SEC.1. Amended by P.L.186-2003, SEC.28.

IC 14-8-2-65.5**"Decoy"**

Sec. 65.5. "Decoy", for purposes of IC 14-22-40, has the meaning set forth in IC 14-22-40-2.

As added by P.L.133-1996, SEC.2.

IC 14-8-2-66**"Dedicate" and "dedication"**

Sec. 66. "Dedicate" and "dedication", for purposes of IC 14-31-1, have the meaning set forth in IC 14-31-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-66.5**"Delinquent"**

Sec. 66.5. "Delinquent", for purposes of IC 14-11-3, has the meaning set forth in IC 14-11-3-0.5.

As added by P.L.257-1997(ss), SEC.25.

IC 14-8-2-67**"Department"**

Sec. 67. "Department" refers to the department of natural resources.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-68**"Deputy director"**

Sec. 68. "Deputy director" refers to the deputy director of the bureau that supervises a division.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-68.5**"Development plan"**

Sec. 68.5. "Development plan", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-8(c).

As added by P.L.46-2000, SEC.4.

IC 14-8-2-69**"Dewatering well"**

Sec. 69. "Dewatering well", for purposes of IC 14-25-4, has the meaning set forth in IC 14-25-4-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-70**"Diffused surface water"**

Sec. 70. "Diffused surface water", for purposes of IC 14-25 through IC 14-29, means water that comes from falling rain or melting snow or ice and that:

- (1) is diffused over the surface of the ground or that temporarily flows vagrantly on or over the surface of the ground as the natural elevations and depressions of the surface of the earth guide the water; and
- (2) has no definite banks or channel.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-71**"Director"**

Sec. 71. (a) Except as provided in subsection (b), "director" refers to the director of the department of natural resources.

(b) "Director", for purposes of IC 14-24-12, has the meaning set forth in IC 14-24-12-2.

As added by P.L.1-1995, SEC.1. Amended by P.L.132-1996, SEC.2.

IC 14-8-2-72**"District"**

Sec. 72. "District" has the following meaning:

- (1) For purposes of IC 14-27-8, the meaning set forth in IC 14-27-8-2.
- (2) For purposes of IC 14-32, the term refers to a soil and water conservation district that was:
 - (A) organized under IC 13-3-1 (before its repeal) or IC 14-32-3 (before its repeal); or
 - (B) reestablished under IC 14-32-6.5 to incorporate additional territory.
- (3) For purposes of IC 14-33, a conservancy district established under or accepting:
 - (A) IC 13-3-3 (before its repeal);
 - (B) IC 14-33; or
 - (C) IC 19-3-2 (before its repeal on April 1, 1980), including a conservancy district established before April 20, 1956, for any purpose provided in IC 14-33-1-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.136-1997, SEC.1.

IC 14-8-2-73

"District plan"

Sec. 73. "District plan", for purposes of IC 14-33, means the plan made after a conservancy district is established for accomplishing the purpose of the district.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-74

"Ditch" or "drain"

Sec. 74. "Ditch" or "drain", for purposes of IC 14-27-8, has the meaning set forth in IC 14-27-8-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-75

"Diver"

Sec. 75. "Diver", for purposes of IC 14-15-9, has the meaning set forth in IC 14-15-9-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-76

"Divers down flag"

Sec. 76. "Divers down flag", for purposes of IC 14-15-9, has the meaning set forth in IC 14-15-9-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-77

"Division"

Sec. 77. "Division" has the following meaning:

- (1) For purposes of IC 14-9-8, the meaning set forth in IC 14-9-8-2.
- (2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-2.
- (3) For purposes of IC 14-21-1, the meaning set forth in IC 14-21-1-6.
- (4) For purposes of IC 14-22, the division of fish and wildlife.
- (5) For purposes of IC 14-24, the division of entomology and plant pathology.
- (6) For purposes of IC 14-25.5, the division of water.
- (7) For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-4.
- (8) For purposes of IC 14-37, the division of oil and gas.

As added by P.L.1-1995, SEC.1. Amended by P.L.145-2002, SEC.1.

IC 14-8-2-77.5

"Division director"

Sec. 77.5. "Division director", for purposes of IC 14-24-12, has the meaning set forth in IC 14-24-12-3.

As added by P.L.132-1996, SEC.3.

IC 14-8-2-78**"Dock or harbor line"**

Sec. 78. "Dock or harbor line", for purposes of IC 14-18-6, has the meaning set forth in IC 14-18-6-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-79**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-79.5**"Domiciled"**

Sec. 79.5. "Domiciled", for purposes of section 242 of this chapter, means to be living in a place that:

- (1) is a person's true, fixed, and permanent home and principal residence to which, whenever the person is temporarily absent, the person intends to return; and
- (2) is a permanent building or a part of a building:
 - (A) including a house, a condominium, an apartment, a room in a house or complex, or a mobile home; and
 - (B) not including a vacant lot, second home, camp, cottage, or premises used solely for business.

As added by P.L.155-2002, SEC.2 and P.L.158-2002, SEC.1.

IC 14-8-2-80**"Due notice"**

Sec. 80. "Due notice", for purposes of IC 14-32, means a notice given through publication at least two (2) times, with an interval of at least six (6) days between the two (2) publication dates, in a newspaper or other publication of general circulation within the appropriate area.

As added by P.L.1-1995, SEC.1. Amended by P.L.136-1997, SEC.2.

IC 14-8-2-81**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-82**"Elements of beekeeping"**

Sec. 82. "Elements of beekeeping", for purposes of IC 14-24, includes bees, hives, combs, combless packages of bees or queens, and beekeeping equipment or appurtenances.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-83**"Eligible cost"**

Sec. 83. "Eligible cost", for purposes of IC 14-12-2-31, has the meaning set forth in IC 14-12-2-31.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-84**"Eligible entity"**

Sec. 84. "Eligible entity", for purposes of IC 14-25-11, has the meaning set forth in IC 14-25-11-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-85**"Endangered species"**

Sec. 85. "Endangered species", for purposes of IC 14-22-34, has the meaning set forth in IC 14-22-34-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-86**"Exceptional benefits"**

Sec. 86. "Exceptional benefits", for purposes of IC 14-33, means benefits to real property in a conservancy district greater than the benefits uniformly received throughout the district from:

- (1) the establishment of the district; and
- (2) the execution of the district plan.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-87**"Exotic mammal"**

Sec. 87. "Exotic mammal", for purposes of IC 14-22, means a species that is:

- (1) not native to Indiana; or
- (2) extirpated from Indiana and either:
 - (A) a wild animal; or
 - (B) a feral animal other than a dog or cat.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-87.5**"Exotic weed"**

Sec. 87.5. "Exotic weed" means a weed that is not native to Indiana.

As added by P.L.177-1995, SEC.1.

IC 14-8-2-87.7**"Farmland"**

Sec. 87.7. "Farmland", for purposes of IC 14-22-11-1, has the meaning set forth in IC 14-22-11-1.

As added by P.L.186-2003, SEC.29.

IC 14-8-2-88**"Field"**

Sec. 88. "Field", for purposes of IC 14-37-9-3, has the meaning set forth in IC 14-37-9-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-89

"Field trial"

Sec. 89. "Field trial", for purposes of IC 14-22, means a trial of sporting dogs under field conditions where dogs chase or pursue wild animals under specified rules of national or regional recognized hunting dog associations approved by the director.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-90

"Financial clerk"

Sec. 90. "Financial clerk", for purposes of IC 14-33, means a bonded employee of the board of directors of a conservancy district charged with the faithful receipt and disbursement of the money of the district.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-91

"Financial responsibility bond"

Sec. 91. "Financial responsibility bond", for purposes of IC 14-25-5, has the meaning set forth in IC 14-25-5-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-91.5

"Firearm"

Sec. 91.5. "Firearm", for purposes of IC 14-22-40, has the meaning set forth in IC 14-22-40-3.

As added by P.L.133-1996, SEC.3.

IC 14-8-2-92

"Fixed assets"

Sec. 92. "Fixed assets", for purposes of IC 14-34-7-4, has the meaning set forth in IC 14-34-7-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-93

"Flood" or "flood water"

Sec. 93. "Flood" or "flood water", for purposes of IC 14-28-1, IC 14-28-3, and IC 14-28-4, means the water:

(1) of a river, stream, or lake:

(A) in Indiana; or

(B) upon or adjoining a boundary line of Indiana; and

(2) that is above the bank or outside the channel and banks of the river, stream, or lake.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-94

"Flood control"

Sec. 94. "Flood control", for purposes of IC 14-28-1, has the meaning set forth in IC 14-28-1-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-95**"Flood control program"**

Sec. 95. "Flood control program", for purposes of IC 14-28-5, has the meaning set forth in IC 14-28-5-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-96**"Flood easement"**

Sec. 96. "Flood easement", for purposes of IC 14-28-1, has the meaning set forth in IC 14-28-1-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-97**"Flood flow"**

Sec. 97. "Flood flow", for purposes of IC 14-28-1 and IC 14-28-3, means all of the water of a river or stream that exceeds the within-bank channel flow of the river or stream.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-98**"Flood hazard areas"**

Sec. 98. "Flood hazard areas", for purposes of IC 14-28-1, IC 14-28-3, and IC 14-28-4, means those flood plains or parts of flood plains that have not been adequately protected from flood water by means of dikes, levees, reservoirs, or other works approved by the natural resources commission.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-99**"Flood plain"**

Sec. 99. "Flood plain", for purposes of IC 14-28-1, IC 14-28-3, and IC 14-28-4, means the area adjoining a river or stream that has been or may be covered by flood water.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-100**"Flood protection grade"**

Sec. 100. "Flood protection grade", for purposes of IC 14-28-4-16, has the meaning set forth in IC 14-28-4-16.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-101**"Flood water of a watercourse"**

Sec. 101. "Flood water of a watercourse", for purposes of IC 14-25 through IC 14-29, means water that is flowing or standing above the top level of or outside of the banks of a watercourse.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-102**"Floodway"**

Sec. 102. "Floodway", for purposes of IC 14-28-1, IC 14-28-3, and IC 14-34, means:

- (1) the channel of a river or stream; and
- (2) the parts of the flood plain adjoining the channel that are reasonably required to efficiently carry and discharge the flood water or flood flow of a river or stream.

As added by P.L.1-1995, SEC.1. Amended by P.L.2-1997, SEC.51.

IC 14-8-2-103

"Foundation"

Sec. 103. "Foundation" refers to the Indiana natural resources foundation.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-104

"Freeholder"

Sec. 104. "Freeholder", for purposes of IC 14-33, means a person who holds land:

- (1) in fee;
- (2) for life; or
- (3) for some indeterminate period of time;

whether or not in joint title with at least one (1) other person.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-105

"Fresh water"

Sec. 105. "Fresh water", for purposes of IC 14-37, means water that contains not more than ten thousand (10,000) milligrams per liter of total dissolved solids.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-106

"Freshwater lake"

Sec. 106. "Freshwater lake", for purposes of IC 14-25-5, has the meaning set forth in IC 14-25-5-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-107

"Fund"

Sec. 107. "Fund" has the following meaning:

- (1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.
- (2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.
- (3) For purposes of IC 14-9-8-21.5, the meaning set forth in IC 14-9-8-21.5.
- (4) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.
- (5) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.

- (6) For purposes of IC 14-12-2, the meaning set forth in IC 14-12-2-2.
- (7) For purposes of IC 14-12-3, the meaning set forth in IC 14-12-3-2.
- (8) For purposes of IC 14-13-1, the meaning set forth in IC 14-13-1-2.
- (9) For purposes of IC 14-13-2, the meaning set forth in IC 14-13-2-3.
- (10) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-30.
- (11) For purposes of IC 14-19-8, the meaning set forth in IC 14-19-8-1.
- (12) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-3.
- (13) For purposes of IC 14-20-11, the meaning set forth in IC 14-20-11-2.
- (14) For purposes of IC 14-22-3, the meaning set forth in IC 14-22-3-1.
- (15) For purposes of IC 14-22-4, the meaning set forth in IC 14-22-4-1.
- (16) For purposes of IC 14-22-5, the meaning set forth in IC 14-22-5-1.
- (17) For purposes of IC 14-22-8, the meaning set forth in IC 14-22-8-1.
- (18) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-2.
- (19) For purposes of IC 14-23-3, the meaning set forth in IC 14-23-3-1.
- (20) For purposes of IC 14-23-8, the meaning set forth in IC 14-23-8-1.
- (21) For purposes of IC 14-25-2-4, the meaning set forth in IC 14-25-2-4.
- (22) For purposes of IC 14-25-10, the meaning set forth in IC 14-25-10-1.
- (23) For purposes of IC 14-25-11-19, the meaning set forth in IC 14-25-11-19.
- (24) For purposes of IC 14-25.5, the meaning set forth in IC 14-25.5-1-3.
- (25) For purposes of IC 14-28-5, the meaning set forth in IC 14-28-5-2.
- (26) For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-5.
- (27) For purposes of IC 14-25-12, the meaning set forth in IC 14-25-12-1.
- (28) For purposes of IC 14-33-14, the meaning set forth in IC 14-33-14-3.
- (29) For purposes of IC 14-33-21, the meaning set forth in IC 14-33-21-1.
- (30) For purposes of IC 14-34-6-15, the meaning set forth in IC 14-34-6-15.

(31) For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.

(32) For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.137-1997, SEC.1; P.L.160-1999, SEC.1; P.L.145-2002, SEC.2; P.L.233-2003, SEC.3; P.L.186-2003, SEC.30.

IC 14-8-2-108

"Furbearing mammal"

Sec. 108. "Furbearing mammal", for purposes of IC 14-22, means beaver, red fox, gray fox, long tailed weasel, mink, muskrat, raccoon, coyote, opossum, or skunk.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-109

"Fur buyer"

Sec. 109. "Fur buyer", for purposes of IC 14-22, means a person who purchases or solicits:

(1) the purchase of a furbearing mammal; or

(2) the untanned hide or fur of a furbearing mammal;

whether in the buyer's behalf or as agent for another person.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-110

"Game animal"

Sec. 110. "Game animal" has the following meanings:

(1) For purposes of IC 14-22-37, the meaning set forth in IC 14-22-37-1.

(2) For purposes of IC 14-22-40, the meaning set forth in IC 14-22-40-4.

As added by P.L.1-1995, SEC.1. Amended by P.L.133-1996, SEC.4.

IC 14-8-2-111

"Game bird"

Sec. 111. "Game bird", for purposes of IC 14-22-8, has the meaning set forth in IC 14-22-8-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-112

"Gate"

Sec. 112. "Gate", for purposes of IC 14-27-6, has the meaning set forth in IC 14-27-6-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-113

"Geology"

Sec. 113. "Geology", for purposes of IC 14-32-7, has the meaning set forth in IC 14-32-7-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-114**"Geophysical survey"**

Sec. 114. "Geophysical survey", for purposes of IC 14-37, means the use of electric, gravity, magnetic, seismic, or thermal techniques in the exploration for oil and gas.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-115**"Ginseng"**

Sec. 115. "Ginseng", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-116**"Ginseng dealer"**

Sec. 116. "Ginseng dealer", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-117**"Governing board"**

Sec. 117. "Governing board", for purposes of IC 14-28-5, has the meaning set forth in IC 14-28-5-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-117.3**"Governmental entity"**

Sec. 117.3. "Governmental entity", for the purposes of IC 14-22-10-2, IC 14-22-10-2.5, and IC 14-34-19-15, has the meaning set forth in IC 14-22-10-2(a).

As added by P.L.178-1995, SEC.1. Amended by P.L.75-1998, SEC.1; P.L.71-2004, SEC.1.

IC 14-8-2-118**"Ground water" or "subterranean water"**

Sec. 118. (a) "Ground water" or "subterranean water", for purposes of IC 14-25 through IC 14-29, except as provided in subsection (b), means all water that fills the natural openings under the earth's surface. The term includes the following:

- (1) Underground water courses.
- (2) Artesian basins.
- (3) Reservoirs.
- (4) Lakes.
- (5) Other bodies of water below the earth's surface.

(b) "Ground water", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-119**"Gypsum"**

Sec. 119. "Gypsum" means gypsum, gypsum rock, and anhydrite. The term includes other materials that are necessary or incidental to the extraction and removal of gypsum.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-120

"Hardiness zone"

Sec. 120. "Hardiness zone", for purposes of IC 14-24-6, has the meaning set forth in IC 14-24-6-2.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-121

"Harvest season"

Sec. 121. "Harvest season", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-4.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-121.3

"Hazard classification"

Sec. 121.3. "Hazard classification", for purposes of IC 14-27-7.5, has the meaning set forth in IC 14-27-7.5-2.
As added by P.L.148-2002, SEC.1.

IC 14-8-2-121.5

"Height"

Sec. 121.5. "Height", for purposes of IC 14-27-7.5, has the meaning set forth in IC 14-27-7.5-3.
As added by P.L.148-2002, SEC.2.

IC 14-8-2-122

"Higher or better uses"

Sec. 122. "Higher or better uses", for purposes of IC 14-34-10-2, has the meaning set forth in IC 14-34-10-2.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-122.5

"Highway"

Sec. 122.5. "Highway", for purposes of IC 14-22-10-11, means a public way for vehicular traffic, including the area within the right-of-way.
As added by P.L.52-2001, SEC.1.

IC 14-8-2-123

"Highway, street, or right-of-way"

Sec. 123. "Highway, street, or right-of-way", for purposes of IC 14-16, means the entire width between the boundary lines of a way:

- (1) that is publicly maintained; and
- (2) when any part of the way is open to the use of the public for purposes of vehicular travel.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-124

"Historic property"

Sec. 124. "Historic property", for purposes of IC 14-20-1 and IC 14-21-1, means:

- (1) historic site;
- (2) historic structure; or
- (3) other personal or real property located on or in a historic site or historic structure.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-125

"Historic site"

Sec. 125. "Historic site", for purposes of IC 14-20-1 and IC 14-21-1, means a site that is important to the general, archeological, agricultural, economic, social, political, architectural, industrial, or cultural history of Indiana. The term includes adjacent property that is necessary for the preservation or restoration of the site.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-126

"Historic structure"

Sec. 126. "Historic structure", for purposes of IC 14-20-1 and IC 14-21-1, means a structure that is important to the general, archeological, agricultural, economic, social, political, architectural, industrial, or cultural history of Indiana. The term includes adjacent property that is necessary for the preservation or restoration of the structure.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-127

"Human remains"

Sec. 127. "Human remains", for purposes of IC 14-21, has the meaning set forth in IC 14-21-1-7.

As added by P.L.1-1995, SEC.1. Amended by P.L.46-2000, SEC.5.

IC 14-8-2-128

"Hunt"

Sec. 128. "Hunt", for purposes of IC 14-22, means to take a wild animal except by trapping.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-128.2

"Hunter orange"

Sec. 128.2. "Hunter orange", for purposes of IC 14-22-38-7, has the meaning set forth in IC 14-22-38-7(a).

As added by P.L.104-2001, SEC.1.

IC 14-8-2-129**"Idle speed"**

Sec. 129. "Idle speed", for purposes of IC 14-15-3-17, means the slowest possible speed, not exceeding five (5) miles per hour, that maintains steerage so that the wake or wash created by the watercraft is minimal.

As added by P.L.1-1995, SEC.1. Amended by P.L.38-2000, SEC.1.

IC 14-8-2-130**"Imminent danger to the health or safety of the public"**

Sec. 130. "Imminent danger to the health or safety of the public", for purposes of IC 14-34-15-6, has the meaning set forth in IC 14-34-15-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-131**"Improvement location permit"**

Sec. 131. "Improvement location permit", for purposes of IC 14-28-4, has the meaning set forth in IC 14-28-4-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-131.5**"Includes"**

Sec. 131.5. "Includes" means includes but is not limited to.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-132**"Inn"**

Sec. 132. "Inn", for purposes of IC 14-18-2-3, has the meaning set forth in IC 14-18-2-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-133**"Instream use"**

Sec. 133. "Instream use", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-134**"Interested person"**

Sec. 134. "Interested person" has the following meaning:

- (1) For purposes of IC 14-18-6, the meaning set forth in IC 14-18-6-2.
- (2) For purposes of IC 14-33, the term includes the following:
 - (A) A freeholder or corporation owning land within a proposed or an established conservancy district.
 - (B) A private or corporate person whose property may be condemned or injured by a conservancy district.
 - (C) An officer of a municipality.
 - (D) A federal or state agency.

(E) A local plan commission.

(F) A lienholder.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-135

"Intoxicated"

Sec. 135. "Intoxicated", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-136

"Kankakee River basin"

Sec. 136. "Kankakee River basin", for purposes of IC 14-30-1, has the meaning set forth in IC 14-30-1-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-137

"Lake"

Sec. 137. "Lake" has the following meaning:

(1) For purposes of IC 14-9-9 and IC 14-15, a natural or an artificial lake.

(2) For purposes of IC 14-26-3, the meaning set forth in IC 14-26-3-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.137-1997, SEC.2.

IC 14-8-2-138

"Lake Michigan"

Sec. 138. "Lake Michigan", for purposes of IC 14-22-14, has the meaning set forth in IC 14-22-14-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-139

"Lake owner"

Sec. 139. "Lake owner", for purposes of IC 14-25-5, has the meaning set forth in IC 14-25-5-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-140

"Land"

Sec. 140. "Land", for purposes of IC 14-36-2, has the meaning set forth in IC 14-36-2-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-141

"Land conservation"

Sec. 141. "Land conservation", for purposes of IC 14-32-7, has the meaning set forth in IC 14-32-7-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-142

"Landfill"

Sec. 142. "Landfill", for purposes of IC 14-32-5-4, has the meaning set forth in IC 14-32-5-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-143

"Land occupier" or "occupier of land"

Sec. 143. "Land occupier" or "occupier of land", for purposes of IC 14-32, means a firm, an individual of voting age, a limited liability company, or a corporation that:

(1) owns:

(A) a life estate; or

(B) an interest greater than a life estate;

in; or

(2) is in legal possession, under an express or implied rental lease, of;

a tract of land that is located within a district (as defined in IC 14-8-2-72(2)) or proposed for inclusion within a district under IC 14-32-6.5.

As added by P.L.1-1995, SEC.1. Amended by P.L.136-1997, SEC.3.

IC 14-8-2-144

Repealed

(Repealed by P.L.136-1997, SEC.43.)

IC 14-8-2-144.5

"Lands eligible for remining"

Sec. 144.5. "Lands eligible for remining", for purposes of IC 14-34, means those lands that are eligible for funding under:

(1) IC 14-34-19; or

(2) Section 402(g)(4) of the federal Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(4)).

As added by P.L.179-1995, SEC.1.

IC 14-8-2-145

"Landscape"

Sec. 145. "Landscape", for purposes of IC 14-32-7, has the meaning set forth in IC 14-32-7-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-146

"Landscape survey"

Sec. 146. "Landscape survey", for purposes of IC 14-32-7-8, has the meaning set forth in IC 14-32-7-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-147

"Land use easement"

Sec. 147. "Land use easement", for purposes of IC 14-29-6-13, has the meaning set forth in IC 14-29-6-13.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-148

"Law enforcement officer"

Sec. 148. "Law enforcement officer" has the following meanings:

- (1) For purposes of IC 14-15-8, the meaning set forth in IC 14-15-8-4.
- (2) For purposes of IC 14-22-40, the meaning set forth in IC 14-22-40-5.

As added by P.L.1-1995, SEC.1. Amended by P.L.133-1996, SEC.5.

IC 14-8-2-149

"Legislative body"

Sec. 149. "Legislative body", for purposes of IC 14-25-11, has the meaning set forth in IC 14-25-11-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-150

"Levee"

Sec. 150. "Levee", for purposes of IC 14-27-6, has the meaning set forth in IC 14-27-6-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-151

"Liabilities"

Sec. 151. "Liabilities", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-152

"License"

Sec. 152. "License" has the following meaning:

- (1) For purposes of IC 14-11-3-1, the meaning set forth in IC 14-11-3-1.
- (2) For purposes of IC 14-11-4, the meaning set forth in IC 14-11-4-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-153

"Litter"

Sec. 153. "Litter", for purposes of IC 14-15-2-8, has the meaning set forth in IC 14-15-2-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-154

"Little Calumet River basin"

Sec. 154. "Little Calumet River basin", for purposes of IC 14-13-2-29, has the meaning set forth in IC 14-13-2-29.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-154.5**"Local unit of government"**

Sec. 154.5. "Local unit of government", for purposes of IC 14-22-31.5, has the meaning set forth in IC 14-22-31.5-1.

As added by P.L.134-1996, SEC.1.

IC 14-8-2-155**"Local unit"**

Sec. 155. "Local unit", for purposes of IC 14-28-5, has the meaning set forth in IC 14-28-5-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-156**"Log"**

Sec. 156. "Log" means a systematic, written record that describes the strata and formations progressively encountered while drilling a well for oil and gas purposes or a test hole, including water, oil, and gas formations and other underground resources. The term includes data usually recorded during drilling.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-157**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-158**"Management"**

Sec. 158. "Management", for purposes of IC 14-22-34, has the meaning set forth in IC 14-22-34-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-159**"Maumee River basin"**

Sec. 159. "Maumee River basin", for purposes of IC 14-30-2, has the meaning set forth in IC 14-30-2-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-160**"Member"**

Sec. 160. "Member" has the following meaning:

(1) For purposes of IC 14-12-2-15, the meaning set forth in IC 14-12-2-15.

(2) For purposes of IC 14-12-2-20, the meaning set forth in IC 14-12-2-20.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-161**"Merchantable timber"**

Sec. 161. "Merchantable timber", for purposes of IC 14-23-4, has the meaning set forth in IC 14-23-4-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-162

"Migratory birds"

Sec. 162. "Migratory birds", for purposes of IC 14-22, refers to the following birds:

- (1) Migratory game birds, including the following:
 - (A) Anatidae, or waterfowl, including brant, wild ducks, wild geese, and swans.
 - (B) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.
 - (C) Rallidae, or rails, including coot, gallinules, sora, and other rails.
 - (D) Limicolae, or shorebirds, including avocets, curlews, dowitchers, godwits, knots, oyster catchers, phalaropes, plovers, sandpipers, snipe, tilts, surf birds, turnstones, willet, woodcock, tattlers, and yellow legs.
 - (E) Columbidae, or pigeons, including doves and wild pigeons.
- (2) Migratory insectivorous birds, including the following:
 - (A) Cuckoos.
 - (B) Flickers and other woodpeckers.
 - (C) Nighthawks or bull-bats, and whippoorwills.
 - (D) Swifts.
 - (E) Hummingbirds and flycatchers.
 - (F) Bobolinks, meadowlarks, and orioles.
 - (G) Grosbeaks.
 - (H) Tanagers.
 - (I) Martins and other swallows.
 - (J) Waxwings.
 - (K) Shrikes and vireos.
 - (L) Warblers.
 - (M) Pipits.
 - (N) Catbirds and brown thrashers.
 - (O) Wrens.
 - (P) Brown creepers.
 - (Q) Nuthatches.
 - (R) Chickadees and titmice.
 - (S) Kinglets and gnat catchers.
 - (T) Robins and other thrushes.
 - (U) All other perching birds that feed entirely or chiefly on insects.
- (3) Other migratory nongame birds, including the following:
 - (A) Auks.
 - (B) Auklets.
 - (C) Bitterns.
 - (D) Fulmars.
 - (E) Gannets.
 - (F) Grebes.
 - (G) Guillemots.

- (H) Gulls.
- (I) Herons.
- (J) Jaegers.
- (K) Loons.
- (L) Murres.
- (M) Petrels.
- (N) Puffins.
- (O) Shearwaters.
- (P) Terns.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-163

"Migratory water fowl"

Sec. 163. "Migratory water fowl", for purposes of IC 14-22-7, has the meaning set forth in IC 14-22-7-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-164

"Mineral"

Sec. 164. "Mineral", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-165

"Mining"

Sec. 165. (a) "Mining", for purposes of IC 14-34-8-4, has the meaning set forth in IC 14-34-8-4.

(b) "Mining", for purposes of IC 14-36-2, has the meaning set forth in IC 14-36-2-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-166

"Mining refuse"

Sec. 166. "Mining refuse", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-167

"Minnow"

Sec. 167. "Minnow", for purposes of IC 14-22, includes the following:

- (1) All of the fish of the minnow family (cyprinidae).
- (2) The young of all species of fish that are not protected by law.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-168

"Mollusk"

Sec. 168. "Mollusk", for purposes of IC 14-22, means one (1) of the phylum mollusca.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-169

"Motorboat"

Sec. 169. (a) "Motorboat", for purposes of IC 14-15, except as provided in subsection (c), means a watercraft propelled by:

- (1) an internal combustion, steam, or electrical inboard or outboard motor or engine; or
- (2) any mechanical means.

(b) The term includes sailboats that are equipped with a motor or an engine described in subsection (a) when the motor or engine is in operation, whether or not the sails are hoisted.

(c) "Motorboat", for purposes of IC 14-15-11, has the meaning set forth in IC 14-15-11-6.

(d) The term includes a personal watercraft (as defined in section 202.5 of this chapter).

As added by P.L.1-1995, SEC.1. Amended by P.L.57-1995, SEC.6.

IC 14-8-2-170

"Municipal corporation"

Sec. 170. "Municipal corporation", for purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-171

"Mussel"

Sec. 171. "Mussel", for purposes of IC 14-22, means a mollusk possessing a hard, pearly, hinged shell that:

- (1) is capable of closing and opening; and
- (2) completely encases and protects the living organism.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-172

"Natural gas"

Sec. 172. "Natural gas", for purposes of IC 14-37, means hydrocarbons that when produced in a natural state from an underground reservoir maintain a gaseous state at atmospheric conditions.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-173

"Nature preserve"

Sec. 173. "Nature preserve", for purposes of IC 14-31-1, has the meaning set forth in IC 14-31-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-174

"Natural resources"

Sec. 174. "Natural resources", for purposes of IC 14-26-2, has the meaning set forth in IC 14-26-2-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-175

"Natural river"

Sec. 175. "Natural river", for purposes of IC 14-29-6-8, has the meaning set forth in IC 14-29-6-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-176

"Natural scenic beauty"

Sec. 176. "Natural scenic beauty", for purposes of IC 14-26-2-5, has the meaning set forth in IC 14-26-2-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-177

"Net revenues"

Sec. 177. "Net revenues", for purposes of IC 14-33-20-15, has the meaning set forth in IC 14-33-20-15.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-178

"Net worth"

Sec. 178. "Net worth", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-179

"Nongame species"

Sec. 179. "Nongame species", for purposes of IC 14-22-34, has the meaning set forth in IC 14-22-34-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-179.5

"Nonresident"

Sec. 179.5. "Nonresident", for the purposes of IC 14-19-3-5, has the meaning set forth in IC 14-19-3-5(b).

As added by P.L.134-1997, SEC.2.

IC 14-8-2-180

"Nonsignificant ground water withdrawal facility"

Sec. 180. "Nonsignificant ground water withdrawal facility", for purposes of IC 14-25-4, has the meaning set forth in IC 14-25-4-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-181

"Normal water level of a lake"

Sec. 181. "Normal water level of a lake", for purposes of IC 14-26-5, has the meaning set forth in IC 14-26-5-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-182**"Nursery"**

Sec. 182. "Nursery", for purposes of IC 14-24, means the premises where nursery stock is propagated, grown, or cultivated for distribution or sale as a business.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-183**"Nurseryman"**

Sec. 183. "Nurseryman", for purposes of IC 14-24, means a person who owns, leases, manages, or controls a nursery.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-184**"Nursery stock"**

Sec. 184. "Nursery stock" has the following meaning:

(1) For purposes of IC 14-24, except as provided in subdivision (2), botanically classified hardy perennial or biennial trees, shrubs, vines, fruit pits, and other plants or plant parts capable of propagation. The term does not include corms, tubers, field vegetables, or flower seeds.

(2) For purposes of IC 14-24-6, the meaning set forth in IC 14-24-6-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-185**"Off-road vehicle"**

Sec. 185. "Off-road vehicle", for purposes of IC 14-16-1, has the meaning set forth in IC 14-16-1-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-186**"Oil"**

Sec. 186. "Oil", for purposes of IC 14-37, means all liquid petroleum produced at a well.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-187**"Open burning"**

Sec. 187. "Open burning", for purposes of IC 14-23-7-5, has the meaning set forth in IC 14-23-7-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-188**"Operate"**

Sec. 188. "Operate" has the following meaning:

(1) For purposes of IC 14-15, the act of navigating, driving, steering, sailing, rowing, paddling, or otherwise moving or exercising physical control over the movement of a watercraft.

(2) For purposes of IC 14-16-1, the meaning set forth in

IC 14-16-1-4.

As added by P.L.1-1995, SEC.1. Amended by P.L.186-2003, SEC.31.

IC 14-8-2-189

"Operation"

Sec. 189. "Operation", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-190

"Operator"

Sec. 190. "Operator" has the following meaning:

(1) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-5.

(2) For purposes of IC 14-34, except IC 14-34-4-8 and IC 14-34-8-4, a person, partnership, limited liability company, or corporation engaged in coal mining who removes or intends to remove more than two hundred fifty (250) tons of coal from the earth by coal mining within twelve (12) consecutive months in one (1) location.

(3) For purposes of IC 14-34-4-8, the meaning set forth in IC 14-34-4-8.

(4) For purposes of IC 14-34-8-4, the meaning set forth in IC 14-34-8-4.

(5) For purposes of IC 14-36-1, the meaning set forth in IC 14-36-1-9.

(6) For purposes of IC 14-37, a person who:

(A) is issued a permit under IC 14-37; or

(B) is engaging in an activity for which a permit is required under IC 14-37.

As added by P.L.1-1995, SEC.1. Amended by P.L.186-2003, SEC.32.

IC 14-8-2-191

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-192

"Other state"

Sec. 192. "Other state", for purposes of IC 14-28-1 and IC 14-28-3, means the following:

(1) Any state other than Indiana.

(2) The government of another state.

(3) An agency, an officer, a board, a bureau, a commission, a department, a division, or an instrumentality of another state.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-193

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-194**"Overburden"**

Sec. 194. "Overburden", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-10.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-195**"Owner"**

Sec. 195. "Owner" has the following meaning:

- (1) For purposes of IC 14-11-4, the meaning set forth in IC 14-11-4-2.
- (2) For purposes of IC 14-15, a person who has the legal title to a watercraft.
- (3) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-6.
- (4) For purposes of IC 14-25-4, the meaning set forth in IC 14-25-4-4.
- (5) For purposes of IC 14-27-7, the meaning set forth in IC 14-27-7-1.
- (6) For purposes of IC 14-27-7.5, the meaning set forth in IC 14-27-7.5-4.
- (7) For purposes of IC 14-36, the term includes the following:
 - (A) Owners in fee.
 - (B) Life tenants.
 - (C) Tenants for years.
 - (D) Holders of remainder of reversionary interests.
 - (E) Holders of leaseholds or easements.
 - (F) Holders of mineral rights.
- (8) For purposes of IC 14-37, a person who has the right to drill into and produce from a pool and to appropriate the oil and gas produced from the pool for:
 - (A) the person or others; or
 - (B) the person and others.
- (9) For the purposes of IC 14-22-10-2, the meaning set forth in IC 14-22-10-2(c).

As added by P.L.1-1995, SEC.1. Amended by P.L.178-1995, SEC.2; P.L.138-1997, SEC.1; P.L.148-2002, SEC.3; P.L.186-2003, SEC.33.

IC 14-8-2-196**"Park"**

Sec. 196. "Park", for purposes of IC 14-14-1, has the meaning set forth in IC 14-14-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-197**"Park project"**

Sec. 197. "Park project", for purposes of IC 14-14-1, has the meaning set forth in IC 14-14-1-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-198**"Participating county"**

Sec. 198. "Participating county" has the following meaning:

- (1) For purposes of IC 14-30-2, the meaning set forth in IC 14-30-2-4.
- (2) For purposes of IC 14-30-3, the meaning set forth in IC 14-30-3-3.
- (3) For purposes of IC 14-30-4, the meaning set forth in IC 14-30-4-3.

As added by P.L.1-1995, SEC.1. Amended by P.L.35-2001, SEC.3.

IC 14-8-2-199**"Permit"**

Sec. 199. "Permit", for purposes of IC 14-34, means a permit issued under IC 14-34 to conduct a surface coal mining and reclamation operation.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-200**"Permit area"**

Sec. 200. "Permit area", for purposes of IC 14-34, means the area of land that is indicated on the approved map submitted by the operator with the operator's application.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-201**"Permittee"**

Sec. 201. "Permittee", for purposes of IC 14-34, means a person or the person's agent holding a permit issued under IC 14-34 to conduct a surface coal mining operation. The term includes a person who engages in surface coal mining operations without a permit.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-202**"Person"**

Sec. 202. (a) "Person" means, except as provided in subsections (b) through (j), an individual, a partnership, an association, a fiduciary, an executor or administrator, a limited liability company, or a corporation.

(b) "Person", for purposes of IC 14-12-2, has the meaning set forth in IC 14-12-2-3.

(c) "Person", for purposes of IC 14-16, IC 14-22-28, IC 14-24, IC 14-26-2, IC 14-28-1, IC 14-28-3, IC 14-29-6, and IC 14-38-2, means an individual, a partnership, an association, a fiduciary, an executor or administrator, a limited liability company, a corporation, other legal entity, the state, or an agency, a political subdivision, or another instrumentality of the state.

(d) "Person", for purposes of IC 14-12-1, IC 14-12-2, IC 14-20-1, IC 14-21, IC 14-25 through IC 14-29, except as otherwise provided in this section, IC 14-33, IC 14-34, and IC 14-37, means an

individual, a partnership, an association, a fiduciary, an executor or administrator, a limited liability company, a corporation, or a governmental entity.

(e) "Person", for purposes of IC 14-22-31.5, has the meaning set forth in IC 14-22-31.5-2.

(f) "Person", for purposes of IC 14-25-3, has the meaning set forth in IC 14-25-3-1.

(g) "Person", for the purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-5.

(h) "Person", for purposes of IC 14-34, means an individual, a partnership, a limited liability company, an association, a society, a joint stock company, a firm, a company, a corporation, or other business organization.

(i) "Person", for purposes of IC 14-38-1, has the meaning set forth in IC 14-38-1-2.

(j) "Person", for purposes of IC 14-24-12, has the meaning set forth in IC 14-24-12-4.

As added by P.L.1-1995, SEC.1. Amended by P.L.132-1996, SEC.4; P.L.134-1996, SEC.2; P.L.155-2002, SEC.3 and P.L.158-2002, SEC.2.

IC 14-8-2-202.5

"Personal watercraft"

Sec. 202.5. "Personal watercraft", for purposes of IC 14-15, means a watercraft:

- (1) whose primary source of motive power is an inboard motor powering a water jet pump; and
- (2) that is designed to be operated by a person who sits, stands, or kneels on the surface of the watercraft rather than sitting or standing inside the watercraft.

As added by P.L.57-1995, SEC.7.

IC 14-8-2-203

"Pest or pathogen"

Sec. 203. "Pest or pathogen", for purposes of IC 14-24, means an:

- (1) arthropod;
- (2) a nematode;
- (3) a microorganism;
- (4) a fungus;
- (5) a parasitic plant;
- (6) a mollusk;
- (7) plant disease; or
- (8) an exotic weed;

that may be injurious to nursery stock, agricultural crops, other vegetation, or bees.

As added by P.L.1-1995, SEC.1. Amended by P.L.177-1995, SEC.2.

IC 14-8-2-204

"Petroleum"

Sec. 204. "Petroleum", for purposes of IC 14-38-1, has the

meaning set forth in IC 14-38-1-3.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-205

"Pit"

Sec. 205. "Pit", for purposes of IC 14-36-1-15, has the meaning set forth in IC 14-36-1-15.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-206

"Plan"

Sec. 206. "Plan" has the following meaning:

- (1) For purposes of IC 14-21-1, the meaning set forth in IC 14-21-1-8.
- (2) For purposes of IC 14-30-2, the meaning set forth in IC 14-30-2-5.
- (3) For purposes of IC 14-30-4, the meaning set forth in IC 14-30-4-4.

As added by P.L.1-1995, SEC.1. Amended by P.L.35-2001, SEC.4.

IC 14-8-2-207

"Plug" or "plugging"

Sec. 207. "Plug" or "plugging", for purposes of IC 14-38-2, has the meaning set forth in IC 14-38-2-3.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-208

"Political subdivision"

Sec. 208. "Political subdivision" has the following meaning:

- (1) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-2.
- (2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-4.
- (3) For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-2.

As added by P.L.1-1995, SEC.1. Amended by P.L.160-1999, SEC.2.

IC 14-8-2-209

"Pool"

Sec. 209. "Pool", for purposes of IC 14-37, means an accumulation of oil or natural gas that occurs in a separate underground reservoir under a single pressure system.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-210

"Potable water"

Sec. 210. "Potable water", for purposes of IC 14-25-4, has the meaning set forth in IC 14-25-4-5.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-211**"Premises"**

Sec. 211. "Premises", for purposes of IC 14-22, includes land, water, and private ways.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-212**"Prima facie evidence of intoxication"**

Sec. 212. "Prima facie evidence of intoxication", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-213**"Prime farmland"**

Sec. 213. "Prime farmland", for purposes of IC 14-34, has the meaning that is:

- (1) prescribed by the United States Secretary of Agriculture:
 - (A) on the basis of factors such as moisture availability, temperature regime, chemical balance, permeability, surface layer composition, susceptibility to flooding, and erosion characteristics; and
 - (B) for land that historically has been used for intensive agricultural purposes; and
- (2) published in the Federal Register.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-214**"Prior natural resources law"**

Sec. 214. "Prior natural resources law", for purposes of IC 14-8-3, has the meaning set forth in IC 14-8-3-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-215**"Private waters"**

Sec. 215. "Private waters", for purposes of IC 14-22-9-5, has the meaning set forth in IC 14-22-9-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-216**"Program"**

Sec. 216. (a) "Program", for purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.

(b) "Program", for purposes of IC 14-23-6.5, has the meaning set forth in IC 14-23-6.5-1.

(c) "Program", for purposes of IC 14-32-8, has the meaning set forth in IC 14-32-8-3.

As added by P.L.1-1995, SEC.1. Amended by P.L.55-1999, SEC.1; P.L.160-1999, SEC.3.

IC 14-8-2-217

"Project"

Sec. 217. "Project", for purposes of IC 14-12-2, has the meaning set forth in IC 14-12-2-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-218

"Project committee"

Sec. 218. "Project committee", for purposes of IC 14-12-2, has the meaning set forth in IC 14-12-2-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-219

"Property"

Sec. 219. "Property" has the following meaning:

(1) For purposes of IC 14-12-2 and IC 14-21-3, the meaning set forth in IC 14-12-2-6.

(2) For purposes of IC 14-18-8, the meaning set forth in IC 14-18-8-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.46-2000, SEC.6.

IC 14-8-2-220

"Proposed district"

Sec. 220. "Proposed district", for purposes of IC 14-33-4, has the meaning set forth in IC 14-33-4-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-221

"Proven territory"

Sec. 221. "Proven territory", for purposes of IC 14-38-1, has the meaning set forth in IC 14-38-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-222

"Public freshwater lake"

Sec. 222. "Public freshwater lake", for purposes of IC 14-26-2, has the meaning set forth in IC 14-26-2-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-222.5

"Public highway"

Sec. 222.5. "Public highway", for purposes of IC 14-22-10-11, has the meaning set forth in IC 8-2.1-17-14.

As added by P.L.52-2001, SEC.2.

IC 14-8-2-223

"Public land"

Sec. 223. "Public land", for purposes of IC 14-38-1, has the meaning set forth in IC 14-38-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-224**"Public or private property"**

Sec. 224. "Public or private property" has the following meaning:

- (1) For purposes of IC 14-22-2, the meaning set forth in IC 14-22-2-1.
- (2) For purposes of IC 14-22-39-3, the meaning set forth in IC 14-22-39-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-225**"Public property"**

Sec. 225. "Public property", for purposes of IC 14-16, means land and water that are:

- (1) owned or leased by; and
- (2) subject to the control of;

the state or any of the state's subdivisions.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-226**"Public waters"**

Sec. 226. "Public waters", for purposes of IC 14-15, means every lake, river, stream, canal, ditch, and body of water that is:

- (1) subject to the jurisdiction of the state; or
- (2) owned or controlled by a public utility.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-227**"Pumping station"**

Sec. 227. "Pumping station", for purposes of IC 14-27-6, has the meaning set forth in IC 14-27-6-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-228**"Pursue"**

Sec. 228. "Pursue", for purposes of IC 14-22, means following wild animals with the intent to take.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-228.3**"Qualified individual"**

Sec. 228.3. "Qualified individual", for purposes of IC 14-22-12-1.5, has the meaning set forth in IC 14-22-12-1.5(a).

As added by P.L.188-2001, SEC.1.

IC 14-8-2-228.5**"Raptor"**

Sec. 228.5. "Raptor", for purposes of IC 14-22-10-11, has the meaning set forth in IC 14-22-10-11(a).

As added by P.L.52-2001, SEC.3.

IC 14-8-2-229**"Rated capacity of a pump"**

Sec. 229. "Rated capacity of a pump", for purposes of IC 14-25-3-16, has the meaning set forth in IC 14-25-3-16.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-230**"Real property"**

Sec. 230. "Real property" has the following meaning:

(1) For purposes of IC 14-17, IC 14-17-2, and IC 14-18-6, includes an interest in real property, such as the following:

(A) Any ownership interest in real property.

(B) A leasehold.

(C) A right-of-way.

(D) An easement, including a utility easement.

The term does not include personal property or an interest in personal property.

(2) For purposes of IC 14-20-3, the meaning set forth in IC 14-20-3-1.

(3) For purposes of IC 14-20-6, the meaning set forth in IC 14-20-6-1.

(4) For purposes of IC 14-20-8, the meaning set forth in IC 14-20-8-1.

(5) For purposes of IC 14-20-9, the meaning set forth in IC 14-20-9-2.

(6) For purposes of IC 14-20-10, the meaning set forth in IC 14-20-10-1.

(7) For purposes of IC 14-33:

(A) land;

(B) all buildings and fixtures on and appurtenant to land; and

(C) an estate created in:

(i) land; or

(ii) mines or minerals distinct from the surface of land;

by deed, contract reservation in a conveyance, or otherwise.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-231**"Reasonable beneficial use"**

Sec. 231. "Reasonable beneficial use", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-232**"Reclamation"**

Sec. 232. "Reclamation" has the following meaning:

(1) For purposes of IC 14-36-1, the meaning set forth in IC 14-36-1-11.

(2) For purposes of IC 14-36-2, the meaning set forth in IC 14-36-2-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-233**"Reclamation plan"**

Sec. 233. "Reclamation plan", for purposes of IC 14-36-1, has the meaning set forth in IC 14-36-1-12.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-234**"Recreational purpose"**

Sec. 234. "Recreational purpose", for purposes of IC 14-26-2-5, has the meaning set forth in IC 14-26-2-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-235**"Recreational river"**

Sec. 235. "Recreational river", for purposes of IC 14-29-6, has the meaning set forth in IC 14-29-6-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-236**"Register"**

Sec. 236. "Register", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-9.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-237**"Registry"**

Sec. 237. "Registry", for purposes of IC 14-31-2, has the meaning set forth in IC 14-31-2-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-238**"Relevant evidence"**

Sec. 238. "Relevant evidence", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-239**"Repair"**

Sec. 239. "Repair", for purposes of IC 14-34-11-3, has the meaning set forth in IC 14-34-11-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-240**"Reservoir"**

Sec. 240. "Reservoir", for purposes of IC 14-37, means an underground geological formation that contains oil or natural gas.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-241**"Reservoir impoundment"**

Sec. 241. "Reservoir impoundment", for purposes of IC 14-25 through IC 14-29, means the water stored in a reservoir created by the construction of a dam, an embankment, or other structure.
As added by P.L.1-1995, SEC.1.

IC 14-8-2-242

"Resident"

Sec. 242. (a) "Resident", for purposes of IC 14-22, except as provided in subsection (b), means a person who:

- (1) is domiciled in Indiana for sixty (60) consecutive days immediately preceding the date of the purchase of a license or permit; and
- (2) does not claim residency for hunting, fishing, or trapping in any state other than Indiana or any country other than the United States.

(b) "Resident", for purposes of IC 14-22-17, has the meaning set forth in IC 14-22-17-1.

As added by P.L.1-1995, SEC.1. Amended by P.L.155-2002, SEC.4 and P.L.158-2002, SEC.3.

IC 14-8-2-243

"Restore" or "restoration"

Sec. 243. "Restore" or "restoration", for purposes of IC 14-36-2, has the meaning set forth in IC 14-36-2-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-244

"Review board"

Sec. 244. "Review board", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-10.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-245

"River"

Sec. 245. "River" has the following meaning:

- (1) For purposes of IC 14-26-3, the meaning set forth in IC 14-26-3-2.
- (2) For purposes of IC 14-29-6, the meaning set forth in IC 14-29-6-3.
- (3) For purposes of IC 14-29-7, the meaning set forth in IC 14-29-7-2.
- (4) For purposes of IC 14-32-7-12, the meaning set forth in IC 14-32-7-12.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-245.3

"Rural community"

Sec. 245.3. "Rural community", for purposes of IC 14-23-6.5, has the meaning set forth in IC 14-23-6.5-2.

As added by P.L.55-1999, SEC.2.

IC 14-8-2-245.5**"Rural fire department"**

Sec. 245.5. "Rural fire department", for purposes of IC 14-23-6.5, has the meaning set forth in IC 14-23-6.5-3.

As added by P.L.55-1999, SEC.3.

IC 14-8-2-246**"Scenic easement"**

Sec. 246. "Scenic easement", for purposes of IC 14-29-6-13, has the meaning set forth in IC 14-29-6-13.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-247**"Scenic river"**

Sec. 247. "Scenic river", for purposes of IC 14-29-6, has the meaning set forth in IC 14-29-6-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-248**"Season"**

Sec. 248. "Season", for purposes of IC 14-22, means the period during which it is legal to fish, hunt, trap, or chase wild animals.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-249**"Sell"**

Sec. 249. "Sell" has the following meaning:

- (1) For purposes of IC 14-22-6-8, the meaning set forth in IC 14-22-6-8.
- (2) For purposes of IC 14-22-38-6, the meaning set forth in IC 14-22-38-6.
- (3) For purposes of IC 14-31-3, the meaning set forth in IC 14-31-3-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-250**"Selling season"**

Sec. 250. "Selling season", for purposes of IC 14-31-3-9, has the meaning set forth in IC 14-31-3-9.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-251**"Serious bodily injury"**

Sec. 251. "Serious bodily injury", for purposes of IC 14-15-8, has the meaning set forth in IC 14-15-8-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-252**"Sewage"**

Sec. 252. "Sewage" has the following meaning:

(1) For purposes of IC 14-15-2-7, the meaning set forth in IC 14-15-2-7.

(2) For purposes of IC 14-33-22, the meaning set forth in IC 14-33-22-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-253

"Sewerage system"

Sec. 253. "Sewerage system", for purposes of IC 14-33-22, has the meaning set forth in IC 14-33-22-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-254

"Ship"

Sec. 254. "Ship", for purposes of IC 14-22-38-6, has the meaning set forth in IC 14-22-38-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-254.5

"Shooting range"

Sec. 254.5. "Shooting range", for purposes of IC 14-22-31.5, has the meaning set forth in IC 14-22-31.5-3.

As added by P.L.134-1996, SEC.3.

IC 14-8-2-255

"Shoreline or water line"

Sec. 255. "Shoreline or water line" has the following meaning:

(1) For purposes of IC 14-26-2, the meaning set forth in IC 14-26-2-4.

(2) For purposes of IC 14-26-8, the meaning set forth in IC 14-26-8-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-256

"Significant ground water withdrawal facility"

Sec. 256. "Significant ground water withdrawal facility", for purposes of IC 14-25-4, has the meaning set forth in IC 14-25-4-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-257

"Significant water withdrawal facility"

Sec. 257. "Significant water withdrawal facility" has the following meaning:

(1) For purposes of IC 14-25-5, the meaning set forth in IC 14-25-5-5.

(2) For purposes of IC 14-25-7-15, the meaning set forth in IC 14-25-7-15.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-258

"Site"

Sec. 258. "Site", for purposes of IC 14-20-1 and IC 14-21, includes the following:

- (1) An aboriginal mound, a fort, an earthwork, a village location, a burial ground, a ruin, a mine, a cave, a battleground, a shipwreck, or other similar location on land or under water.
- (2) A location that contains or did contain a structure.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-259

"Small lake"

Sec. 259. "Small lake", for purposes of IC 14-15-3, has the meaning set forth in IC 14-15-3-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-260

"Small state park"

Sec. 260. "Small state park", for purposes of IC 14-19-2, has the meaning set forth in IC 14-19-2-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-261

"Snowmobile"

Sec. 261. "Snowmobile", for purposes of IC 14-16, means a motor driven vehicle:

- (1) designed for travel primarily on snow or ice; and
- (2) of a type that uses:
 - (A) sled type runners or skis;
 - (B) an endless belt tread; or
 - (C) any combination of these or other similar means of contact with the surface upon which the vehicle is operated.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-262

"Soil"

Sec. 262. "Soil", for purposes of IC 14-32-7, has the meaning set forth in IC 14-32-7-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-263

"St. Joseph River basin"

Sec. 263. "St. Joseph River basin", for purposes of IC 14-30-3, has the meaning set forth in IC 14-30-3-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-264

"Stamp"

Sec. 264. "Stamp" has the following meaning:

- (1) For purposes of IC 14-22-7, the meaning set forth in IC 14-22-7-2.

(2) For purposes of IC 14-22-8, the meaning set forth in IC 14-22-8-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-265

"State"

Sec. 265. "State", for purposes of IC 14-28-1, IC 14-28-3, and IC 14-32, means the following:

- (1) The Indiana state government.
- (2) An agency, a subdivision, an officer, a board, a bureau, a commission, a department, a division, or an instrumentality of the state.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-266

"State agency"

Sec. 266. "State agency", for purposes of IC 14-20-1, has the meaning set forth in IC 14-20-1-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-266.8

"State college or university project"

Sec. 266.8. "State college or university project", for purposes of IC 14-21-1, has the meaning set forth in IC 14-21-1-10.4.

As added by P.L.135-1996, SEC.1.

IC 14-8-2-267

"Stream"

Sec. 267. "Stream" has the following meaning:

- (1) For purposes of IC 14-25-7, the meaning set forth in IC 14-25-7-7.
- (2) For purposes of IC 14-29-8, the meaning set forth in IC 14-29-8-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-268

"Structure"

Sec. 268. "Structure" has the following meaning:

- (1) For purposes of IC 14-20-1 and IC 14-21, a manmade construction.
- (2) For purposes of IC 14-27-7.5, the meaning set forth in IC 14-27-7.5-5.

As added by P.L.1-1995, SEC.1. Amended by P.L.148-2002, SEC.4.

IC 14-8-2-268.5

"Substantial alteration"

Sec. 268.5. "Substantial alteration", for purposes of IC 14-21-1-18.6, has the meaning set forth in IC 14-21-1-18.6(a).

As added by P.L.54-1997, SEC.6.

IC 14-8-2-269**"Substantial legal and financial commitments in a surface coal mining operation"**

Sec. 269. "Substantial legal and financial commitments in a surface coal mining operation", for purposes of IC 14-34-18, has the meaning set forth in IC 14-34-18-2.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-270**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-271**"Supervisor"**

Sec. 271. "Supervisor", for purposes of IC 14-32, refers to one (1) of the members of the governing body of a soil and water conservation district.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-272**"Surface coal mining and reclamation operations"**

Sec. 272. "Surface coal mining and reclamation operations", for purposes of IC 14-34, means surface mining operations and all activities necessary and incident to the reclamation of the operations after August 3, 1977.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-273**"Surface coal mining operations"**

Sec. 273. "Surface coal mining operations", for purposes of IC 14-34 and IC 14-36-2, means the following:

(1) Activities conducted on the surface of land in connection with a surface coal mine or, subject to the requirements of IC 14-34-11, surface operations and surface impacts incident to an underground coal mine, the products of which enter commerce or the operations of which directly or indirectly affect interstate commerce. The activities include the following:

(A) Excavation for the purpose of obtaining coal, including common methods such as contour, strip, auger, hilltop removal, boxcut, open pit, and area mining.

(B) The extraction of coal from coal refuse piles.

(C) The use of explosives and blasting.

(D) In situ distillation or retorting, leaching, or other chemical or physical processing.

(E) The cleaning, concentrating, or other processing or preparation of coal.

(F) The loading of coal for interstate commerce at or near the mine site.

The activities do not include the extraction of coal incidental to the extraction of other minerals if coal does not exceed sixteen

and two-thirds percent (16 2/3%) of the tonnage of minerals removed for purposes of commercial use or sale or coal explorations subject to IC 14-34-9.

(2) The areas upon which mining activities occur or where mining activities disturb the natural land surface. The areas include the following:

(A) Adjacent land for which the use is incidental to mining activities.

(B) All land affected by the construction of new roads or the improvement or use of existing roads to gain access to the site of mining activities and for haulage.

(C) Excavations, workings, impoundments, dams, ventilation shafts, entryways, refuse banks, dumps, stockpiles, overburden piles, spoil banks, culm banks, tailings, holes or depressions, repair areas, storage areas, processing areas, shipping areas, and other areas upon which structures, facilities, or other property or materials on the surface resulting from or incident to mining activities are sited.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-274

"Surface mining"

Sec. 274. "Surface mining", for purposes of IC 14-36, has the meaning set forth in IC 14-36.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-274.5

"Surface Mining Control and Reclamation Act"

Sec. 274.5. "Surface Mining Control and Reclamation Act", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-2.5.

As added by P.L.176-1995, SEC.4.

IC 14-8-2-275

"Surface water"

Sec. 275. "Surface water", for purposes of IC 14-25 through IC 14-29, means all water occurring on the surface of the ground. The term includes the following:

- (1) Water in a stream.
- (2) Natural and artificial lakes.
- (3) Ponds.
- (4) Swales.
- (5) Marshes.
- (6) Diffused surface water.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-276

"Surplus water"

Sec. 276. "Surplus water", for purposes of IC 14-25-7-13, has the meaning set forth in IC 14-25-7-13.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-277**"System"**

Sec. 277. "System" has the following meaning:

- (1) For purposes of IC 14-29-6, the meaning set forth in IC 14-29-6-5.
- (2) For purposes of IC 14-31-1, the meaning set forth in IC 14-31-1-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-278**"Take"**

Sec. 278. "Take" has the following meaning:

- (1) For purposes of IC 14-22, except as provided in subdivision (2):
 - (A) to kill, shoot, spear, gig, catch, trap, harm, harass, or pursue a wild animal; or
 - (B) to attempt to engage in such conduct.
- (2) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-279**"Tangible net worth"**

Sec. 279. "Tangible net worth", for purposes of IC 14-34-7, has the meaning set forth in IC 14-34-7-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-280**"Taxidermist"**

Sec. 280. "Taxidermist", for purposes of IC 14-22-21, has the meaning set forth in IC 14-22-21-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-281**"Test hole"**

Sec. 281. "Test hole", for purposes of IC 14-38-2, has the meaning set forth in IC 14-38-2-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-281.5**"Total length"**

Sec. 281.5. "Total length", for purposes of IC 14-28-1-22, has the meaning set forth in IC 14-28-1-22(a).

As added by P.L.180-1995, SEC.1.

IC 14-8-2-282**"Trust committee"**

Sec. 282. "Trust committee", for purposes of IC 14-12-2, has the meaning set forth in IC 14-12-2-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-283**"Trustees"**

Sec. 283. "Trustees", for purposes of IC 14-20-1, has the meaning set forth in IC 14-20-1-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-284**"Trust I"**

Sec. 284. "Trust I", for purposes of IC 14-31-2, has the meaning set forth in IC 14-31-2-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-285**"Trust II"**

Sec. 285. "Trust II", for purposes of IC 14-31-2, has the meaning set forth in IC 14-31-2-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-285.5**"Unanticipated event or condition"**

Sec. 285.5. "Unanticipated event or condition", for purposes of IC 14-34-4, means an event or condition that:

- (1) is encountered in a remining operation; and
- (2) was not contemplated by the applicable surface coal mining and reclamation permit.

As added by P.L.179-1995, SEC.2.

IC 14-8-2-286**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-287**"Underground injection"**

Sec. 287. "Underground injection", for purposes of IC 14-32-5-4, has the meaning set forth in IC 14-32-5-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-288**"Underwater breathing apparatus"**

Sec. 288. "Underwater breathing apparatus", for purposes of IC 14-15-9, has the meaning set forth in IC 14-15-9-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-289**"Unit of local government"**

Sec. 289. "Unit of local government":

- (1) for purposes of IC 14-12-1, has the meaning set forth in IC 14-12-1-3; and
- (2) for purposes of IC 14-22-10, means a:
 - (A) county;

(B) city;
(C) town; or
(D) township;
located in Indiana.
As added by P.L.1-1995, SEC.1. Amended by P.L.52-2001, SEC.4.

IC 14-8-2-290

"United States"

Sec. 290. "United States" has the following meaning:

- (1) For purposes of IC 14-28-1 and IC 14-28-3, the following:
 - (A) The United States government.
 - (B) An agency, an officer, a board, a bureau, a commission, a department, a division, or an instrumentality of the United States.
- (2) For purposes of IC 14-32, the following:
 - (A) The United States.
 - (B) The Natural Resources Conservation Service of the United States Department of Agriculture.
 - (C) Any other agency or instrumentality, corporate or otherwise, of the United States.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-291

"Unwarranted failure to comply"

Sec. 291. "Unwarranted failure to comply", for purposes of IC 14-34-15-7, has the meaning set forth in IC 14-34-15-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-291.5

"Upper Wabash River basin"

Sec. 291.5. "Upper Wabash River basin", for purposes of IC 14-30-4, has the meaning set forth in IC 14-30-4-5.

As added by P.L.35-2001, SEC.5.

IC 14-8-2-292

"Urban geology survey"

Sec. 292. "Urban geology survey", for purposes of IC 14-32-7-7, has the meaning set forth in IC 14-32-7-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-293

"User"

Sec. 293. "User", for purposes of IC 14-33-22, has the meaning set forth in IC 14-33-22-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-294

Repealed

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-295**Repealed**

(Repealed by P.L.2-1997, SEC.91.)

IC 14-8-2-296**"Vehicle"**

Sec. 296. "Vehicle", for purposes of IC 14-16-1, has the meaning set forth in IC 14-16-1-7.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-297**"Visible"**

Sec. 297. "Visible", for purposes of IC 14-15, means capable of being seen by a person of normal vision on a dark and clear night.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-298**"Vital"**

Sec. 298. "Vital", for purposes of IC 14-24-5, has the meaning set forth in IC 14-24-5-1.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-298.5**"Volume"**

Sec. 298.5. "Volume", for purposes of IC 14-27-7.5, has the meaning set forth in IC 14-27-7.5-6.

As added by P.L.148-2002, SEC.5.

IC 14-8-2-299**"Wabash River"**

Sec. 299. "Wabash River", for purposes of IC 14-13-6, has the meaning set forth in IC 14-13-6-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-300**"Wabash River heritage corridor"**

Sec. 300. "Wabash River heritage corridor", for purposes of IC 14-13-6, has the meaning set forth in IC 14-13-6-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-301**"Wake" or "wash"**

Sec. 301. "Wake" or "wash", for purposes of IC 14-15, means a track left by a watercraft causing waves that:

- (1) disrupt other water sport activities; or
- (2) may cause injury or damage to individuals, watercraft, or property.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-302

"Waste" or "wasted"

Sec. 302. "Waste" or "wasted" has the following meaning:

- (1) For purposes of IC 14-25-3, the meaning set forth in IC 14-25-3-2.
- (2) For purposes of IC 14-37, the term includes the following:
 - (A) Locating, spacing, drilling, equipping, operating, or producing a well for oil and gas purposes drilled after March 13, 1947, in any manner that:
 - (i) reduces or tends to reduce the quantity of oil or gas ultimately to be recovered from any well in Indiana; or
 - (ii) violates the spacing provisions adopted by the commission under IC 14-37.
 - (B) Storing oil in earthen reservoirs except in an emergency to prevent the total loss of that oil.
 - (C) Producing oil or gas in a manner that will cause water channeling or zoning.
 - (D) Injecting fluids into a stratum or part of a stratum capable of producing oil or gas, except in accordance with the terms of a Class II well for which a permit is issued under IC 14-37.
 - (E) Allowing water other than fresh water to flow from any producing horizon located in a producing pool, except in accordance with the terms of a permit issued under IC 14-37.
 - (F) Allowing gas from a well that produces only gas to escape into the atmosphere, except as is necessary while making or changing connections, completing the well, or reconditioning the well.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-303

"Water containing state owned fish"

Sec. 303. "Water containing state owned fish", for purposes of IC 14-22, means any water on public or private land that:

- (1) permits ingress by fish from waters of the state; or
- (2) has been stocked with state owned fish.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-304

"Watercourse"

Sec. 304. (a) "Watercourse", for purposes of IC 14-25 through IC 14-29, means a channel that:

- (1) has defined banks;
 - (2) is cut by erosion of running water through turf, soil, rock, or other material; and
 - (3) has a bottom over which water flows for substantial periods of the year.
- (b) The term includes the following:
- (1) The upstream and downstream parts of a watercourse that is lost in a swamp or a lake if the watercourse emerges from the swamp or lake in a well defined channel.

(2) A watercourse that has been improved by confining the watercourse in an artificial channel.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-305

"Watercraft"

Sec. 305. "Watercraft", for purposes of IC 14-15 and IC 14-29-8, means any instrumentality or device in or by means of which a person may be transported upon the public water of Indiana. The term includes a motorboat, sailboat, rowboat, skiff, dinghy, or canoe:

(1) of any length or size; and

(2) whether or not used to carry passengers for hire.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-306

"Water facilities" and "water supply"

Sec. 306. "Water facilities" and "water supply", for purposes of IC 14-33-20, have the meaning set forth in IC 14-33-20-3.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-307

"Water of the state"

Sec. 307. "Water of the state", for purposes of IC 14-22, means a lake, reservoir, marsh, waterway, or other water:

(1) under public:

(A) ownership;

(B) jurisdiction; or

(C) lease; or

(2) that has been used by the public with the acquiescence of any or all riparian owners.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-308

"Water resource"

Sec. 308. "Water resource", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-8.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-309

"Water resources"

Sec. 309. "Water resources", for purposes of IC 14-28-1, has the meaning set forth in IC 14-28-1-4.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-310

"Watershed"

Sec. 310. "Watershed", for purposes of IC 14-25 through IC 14-29, means an area:

(1) from which water drains to a common point; and

(2) for:

(A) a watercourse, that is measured to the mouth of the watercourse; and

(B) any part of a watercourse, that is measured to the farthest downstream point in question.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-311

"Water supply"

Sec. 311. "Water supply", for purposes of IC 14-25 through IC 14-29, means the volume of water designated for use in or by a beneficial process or purpose in the satisfaction of domestic, municipal, agricultural, industrial, commercial, recreational, power, transportation, stream pollution abatement, health, and other uses and needs in a manner consistent with the public interest.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-312

"Water supply reservoir"

Sec. 312. "Water supply reservoir", for purposes of IC 14-26-2-16, has the meaning set forth in IC 14-26-2-16.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-313

"Water supply storage"

Sec. 313. "Water supply storage", for purposes of IC 14-25 through IC 14-29, means the part of a reservoir impoundment designated or allocated for water supply purposes.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-314

"Water use easement"

Sec. 314. "Water use easement", for purposes of IC 14-29-6-13, has the meaning set forth in IC 14-29-6-13.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-315

"Waterway"

Sec. 315. "Waterway", for purposes of IC 14-22, means a river, stream, ditch, canal, or other channel through which water may flow continuously or seasonally.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-315.2

"Wear hunter orange"

Sec. 315.2. "Wear hunter orange", for purposes of IC 14-22-38-7, has the meaning set forth in IC 14-22-38-7(b).

As added by P.L.104-2001, SEC.2.

IC 14-8-2-316

"Weed"

Sec. 316. "Weed" means any plant that is competitive, persistent, pernicious, and interferes with human activity, and as a result is undesirable.

As added by P.L.177-1995, SEC.3.

IC 14-8-2-317

"Well for oil and gas purposes"

Sec. 317. "Well for oil and gas purposes", for purposes of IC 14-37, means a hole drilled, deepened, or converted for any purpose for which a permit is required under IC 14-37. The term includes the following:

- (1) An oil or a natural gas well.
- (2) A Class II well.
- (3) A structure test well.
- (4) A well used for the sole purpose of supplying water for the secondary recovery of petroleum resources.
- (5) An underground gas storage well or underground gas storage observation well.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-318

"Wild animal"

Sec. 318. "Wild animal" has the following meaning:

- (1) For purposes of IC 14-22, except as provided in subdivision (2), an animal whose species usually:
 - (A) lives in the wild; or
 - (B) is not domesticated.
- (2) For purposes of IC 14-22-38-6, the meaning set forth in IC 14-22-38-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-319

"Wild ginseng"

Sec. 319. "Wild ginseng", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-320

"Wildlife"

Sec. 320. "Wildlife" has the following meaning:

- (1) For purposes of IC 14-22, except as provided in subdivision (2), all wild birds and wild mammals.
- (2) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-6.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-321

"Withdrawal use"

Sec. 321. "Withdrawal use", for purposes of IC 14-25-7, has the meaning set forth in IC 14-25-7-9.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-322

"Works"

Sec. 322. "Works", for purposes of IC 14-33-22, has the meaning set forth in IC 14-33-22-5.

As added by P.L.1-1995, SEC.1.

IC 14-8-2-323

"Zoological park"

Sec. 323. "Zoological park", for purposes of IC 14-22-26, has the meaning set forth in IC 14-22-26-2.

As added by P.L.1-1995, SEC.1.